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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SPEED TRACK, INC.,
Plaintiff,
v.
AMAZON.COM, INC., et al.,
Defendants.

Case No. [4:09-cv-04479-JSW](#) (KAW)

**ORDER TERMINATING MOTIONS
AND DISCHARGING ORDER TO
SHOW CAUSE**

Re: Dkt. Nos. 346, 347, 352

On January 3, 2019, SpeedTrack, Inc. filed a motion for sanctions against Barnes & Noble Booksellers, Inc., which was accompanied by a related motion to seal. (Dkt. Nos. 346 & 347.) On January 18, 2019, the Court granted the parties' request to extend the briefing schedule. (Dkt. No. 350 at 2.) Barnes & Noble did not file a timely opposition, despite the stipulated briefing scheduled, so the undersigned issued an order to show cause on January 28, 2019. (Dkt. No. 352.)

On January 29, 2019, Barnes & Noble and SpeedTrack filed a joint stipulation of dismissal with prejudice, in which they agreed to waive attorneys' fees and costs. The stipulation was entered on January 30, 2019. (Dkt. No. 354.)

Since the stipulation of dismissal was silent as to the pending motion for sanctions, and the parties have not communicated otherwise, the Court must assume that the motion is mooted by the stipulation of dismissal. Accordingly, the motion for sanctions (Dkt. No. 347) and the motion to seal (Dkt. No. 346) are TERMINATED. Additionally, the order to show cause is DISCHARGED.

IT IS SO ORDERED.

Dated: January 30, 2019


KANDIS A. WESTMORE
United States Magistrate Judge